

On May 12 and 20, 1913, P. W. Eaton & Co., Williamstown, Mass., and Gilbert E. Morton, Bradstreet, Mass., having filed their claims for the property, admitting the allegations in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants, upon payment of the costs of the proceedings and the execution of bond in conformity with section 10 of the act.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 14, 1914.*

3057. Adulteration of apple waste and chop. U. S. v. 580 Sacks of Apple Waste and Chop. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5115. S. No. 1730.)

On March 25, 1913, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 580 sacks, more or less, of apple waste and chop remaining unsold in the original unbroken packages and in possession of I. S. Dawes & Son, Imlaystown, N. J., alleging that the product had been shipped on or about February 26, 1913, by the H. R. Gragg Packing Co., Rochester, N. Y., and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The product was not labeled. Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, to wit, moldy apple fragments.

On April 11, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 14, 1914.*

3058. Adulteration of desiccated eggs. U. S. v. 4 Boxes of Desiccated Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5121. S. No. 1746.)

On March 31, 1913, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of four boxes, each containing 50 pounds of dried-egg product, remaining unsold in the original unbroken packages and in possession of Griggs, Cooper & Co., St. Paul, Minn., alleging that the product had been shipped on or about February 26, 1913, by the Perfection Egg Co., Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "50 Lbs net—3—Minneapolis—29074—Griggs Cooper Cracker Co. Transfer—Minneapolis."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance and was unfit for food.

On September 15, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 14, 1914.*

3059. Adulteration of catsup. U. S. v. 115 Barrels of Catsup. Decree of condemnation by default. Product ordered destroyed. (F. & D. No. 5122. S. No. 1742.)

On April 2, 1913, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 115 barrels of catsup,

remaining unsold in the original unbroken packages and in possession of the Crine Packing Co., Morganville, N. J., alleging that the product had been shipped on or about March 19, 1913, by H. B. Coulter, New York, N. Y., and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "1/5 of 1% Benzoate of Soda—Grant, Beall & Company, Tomato Catsup—Chicago, Ill."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, to wit, tomatoes.

On June 5, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 14, 1914.*

3060. Misbranding of molasses feed. U. S. v. 400 Sacks Molasses Feed. Product released on bond by order of court. (F. & D. No. 5124. S. No. 1749.)

On April 4, 1913, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks, each containing 100 pounds of so-called molasses feed, remaining unsold in the original unbroken packages and in possession of Byrnes & Co., St. Marys, Kans., alleging that the product had been shipped on or about February 10, 1913, by the Champion Feed Co., Tarkio, Mo., and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: "100 Lbs. Champion Molasses Feed. Compound processes patented, manufactured by the Champion Feed Co., Tarkio, Mo. Crude protein 13 per cent; crude fat 2 per cent; crude fiber 6 per cent; carbon hydrates 62 per cent."

Misbranding of the product was alleged in the libel for the reason that the tags attached to each of the sacks were misleading and false and were calculated to induce the purchaser to believe that the so-called molasses feed contained 13 per cent protein, 2 per cent crude fat, 6 per cent crude fiber, and 62 per cent carbohydrates, when, in truth and in fact, it contained only 9.29 per cent of protein, instead of 13 per cent as declared upon the label as hereinbefore set forth.

On April 15, 1913, the Champion Feed Co., Tarkio, Mo., moved the court for an order discharging the product from the custody of the marshal and admitted its willingness to enter into a bond in conformity with section 10 of the act and to pay all the costs of the proceedings. The same day it was ordered by the court that the product should be released to the claimant upon the execution of bond in the sum of \$500, in accordance with the provisions of the act. It was further ordered that the claimant should relabel the product in conformity with the analysis made by the Department of Agriculture and pay all costs in the case.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 6, 1914.*

3061. Adulteration and misbranding of cottonseed meal. U. S. v. 106 Sacks Cottonseed Meal. Decree of condemnation by default. Product ordered sold. (F. & D. No. 5125. S. No. 1751.)

On April 7, 1913, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 106 sacks of cottonseed meal remaining unsold in the original unbroken packages and in possession of the Anderson Grain & Coal Co., doing business under the name and style of Consumers' Fuel & Feed Co., Galesburg, Ill., alleging that the product had been shipped